

IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE SE/8 Jerusalem Road, 1275 ft. (+/-) NE of Chapman Road 12315 Jerusalem Road 11th Election District 5th Councilmanic District David A. Bowles, et ux Petitioners

* BEFORE THE * ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 93-274-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (garage) to be located in the front-side yard in lieu of the required rear yard, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of March, 1993 that the Petition for a Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (garage) to be located in the front-side yard in lieu of the required rear yard, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 3/25/93
By Mr. Schmidt

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 24, 1993

Mr. and Mrs. David A. Bowles
12315 Jerusalem Road
Kingsville, Maryland 21087

RE: Petition for Administrative Variance
Case No. 93-274-A
12315 Jerusalem Road

Dear Mr. and Mrs. Bowles:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
encl.



Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County
for the property located at 12315 JERUSALEM ROAD
which is presently zoned RC5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.1, To allow an accessory structure to be located in the front-side yard in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County for the following reasons: (Indicate hardship or practical difficulty)

PLACING GARAGE IN BACK OF HOUSE
WOULD BLOCK ACCESS TO REST OF LOT

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Signature

Address

City

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Signature

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City

State

Signature

Address

City

State

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Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify therein in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently reside at 12315 JERUSALEM ROAD KINGSVILLE MD 21087

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

PLACING GARAGE IN BACK OF HOUSE WOULD BLOCK ACCESS TO REST OF LOT

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

DAVID BOWLES
DAVID BOWLES
DAVID BOWLES

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19th day of February, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid personally appeared

David Bowles & Louise Bowles

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

2/26/19, 1993

My Commission Expires: 10/31/96

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 12315 JERUSALEM ROAD
Election District 11TH Councilmanic District 5

Beginning at a point on the SOUTH side of JERUSALEM ROAD (north, south, east or west) (street on which property fronts) which is 60' (number of feet of right-of-way width)

wide at a distance of 1275' ± NORTH EAST of the (number of feet) (north, south, east or west)

of the nearest improved intersecting street CHAPMAN (name of street)

which is 60' (number of feet of right-of-way width) wide. *Being Lot # 1

Block 1, Section 1 in the subdivision of JEAN ROWLES as recorded in Baltimore County Plat

Book 46, Folio 34, containing 76,750 ± sq. ft.

AS RECORDED IN DEED LIBER 46 FOLIO 34 AND INCLUDE THE MEASUREMENTS AND DIRECTIONS HERE AND ON THE PLAT

570° 37' 00" W 50.20'

S 17° 15' 54" E 388.55'

N 71° 22' 55" E 230.61'

S 11° 02' 14" W 50'

S 17° 15' 54" E 287.42'

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11th Date of Posting 3/3/93

Posted for: Variance

Petitioner: David & Louise Bowles

Location of property: 12315 Jerusalem Rd (12315) 11th & N. Chapman Rd

Location of Signs: 12315 Jerusalem Rd, Property of P.H. Home

Remarks:

Posted by: M. H. Home

Number of Signs: 1

Date of return: 3/5/93

Signature

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Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

93-274-A
Account: R-001-6150

receipt

Date

Number

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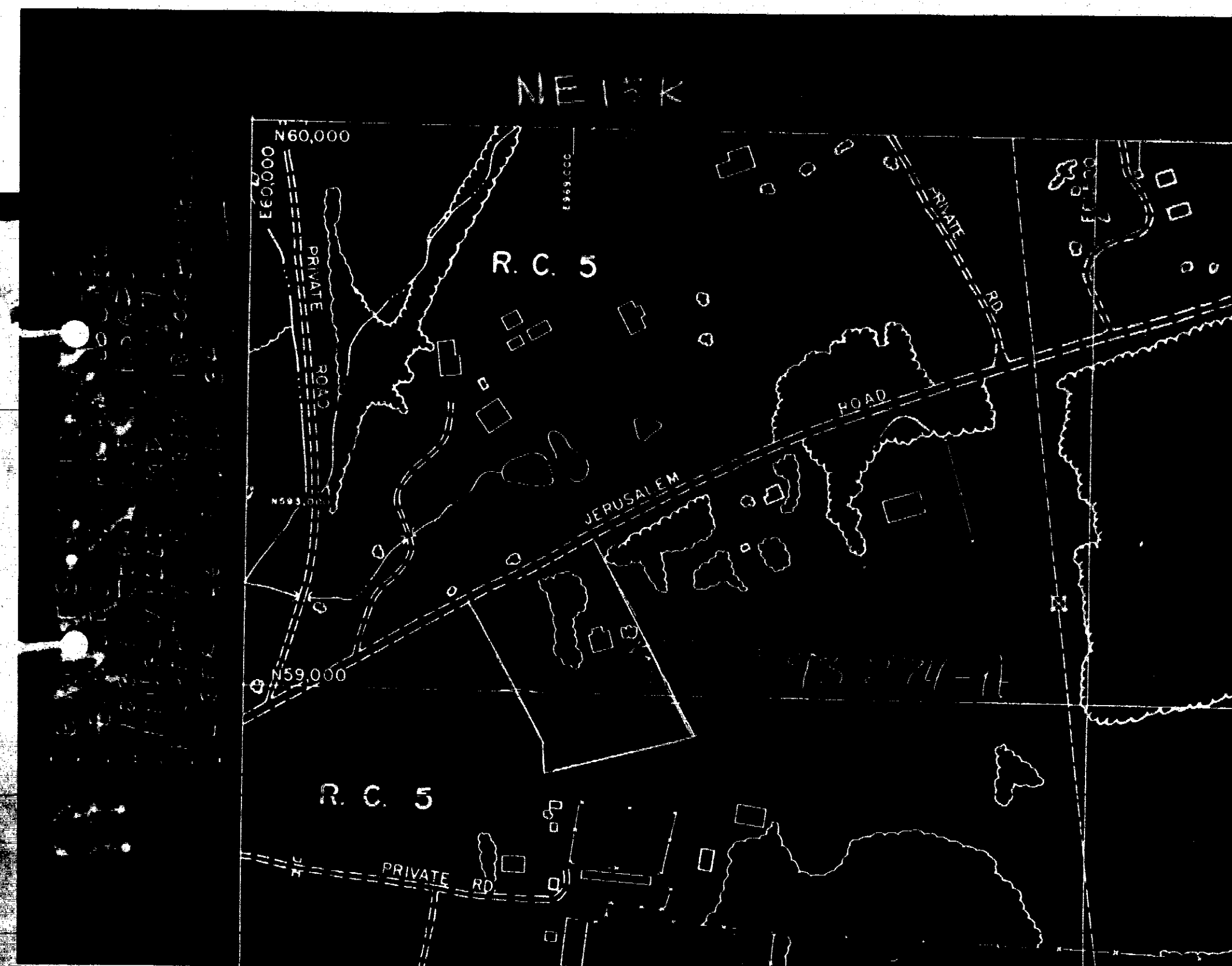
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GARAGE TO BE
BUILT
SOUTH VIEW



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

LOCATION
SOUTH OF
JERUSALEM

DATE
OF
PHOTOGRAPHY
JANUARY
1986

SHEET
N.E.
15-K

93-274-A